

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

DAVID LEVINE, III,
Plaintiff,

CIVIL ACTION

v.

**OFFICER RAYMOND RODDEN;
OFFICER JANOSKI; CORPORAL
GALLAGHER; LIEUTENANT ANDY
BLOCK; and TOWNSHIP OF RADNOR,**
Defendants.

NO. 15-574

ORDER

AND NOW, this 7th day of May, 2015, upon consideration of Defendants Officer Rodden, Officer Janoski, Corporal Gallagher, Lieutenant Block and Township of Radnor's Motion to Dismiss Plaintiff's Complaint Pursuant to Federal Rule of Civil Procedure 12(b)(6) and Rule 12(e) [ECF No. 4]; and the Plaintiff's response in opposition thereto [ECF No. 7] **IT IS ORDERED** that:

- (1) the Motion is **GRANTED**. Counts I and II are **DISMISSED WITH PREJUDICE**;
- (2) there being no remaining claims over which the Court has original jurisdiction, the Court, pursuant to 28 U.S.C. § 1367(c)(3), declines to exercise supplemental jurisdiction over the state law claims in Count III of the Complaint; these claims are **DISMISSED WITH PREJUDICE**; and
- (3) the Clerk of the Court is directed to close this case.

BY THE COURT:

/S/WENDY BEETLESTONE, J.

WENDY BEETLESTONE, J.